

(d) Compute weighting factors to be applied to the changes in gross values determined pursuant to paragraph (c) of this section by determining the relative proportion that the data included in each of the following paragraphs is of the total of the data represented in paragraphs (d)(1) and (d)(2) of this section:

(1) Combine the total nonfat dry milk production for the States of Minnesota and Wisconsin, as reported by the Department, for the most recent preceding period, and divide by the annual yield factor for nonfat dry milk, 8.07, to determine the quantity (in hundredweights) of milk used in the production of butter-nonfat dry milk; and

(2) Combine the total American cheese production for the States of Minnesota and Wisconsin, as reported by the Department, for the most recent reporting period, and divide by the annual yield factor for Cheddar cheese, 9.87, to determine the quantity (in hundredweights) of milk used in the production of American cheese.

(e) Compute a weighted average of the changes in gross values per hundredweight of milk determined pursuant to paragraph (c) of this section in accordance with the relative proportions of milk determined pursuant to paragraph (d) of this section.

[60 FR 18954, Apr. 14, 1995]

#### § 1002.52 Transportation differentials.

The class prices set forth in § 1002.50 shall be subject to a transportation differential determined in accordance with paragraphs (a) through (e) of this section.

(a) The market administrator shall determine a freight zone for each pool plant and each partial pool plant. Such freight zone shall be the shortest highway mileage from the plant to the nearest of the following points as computed by the market administrator from data contained in Mileage Guide No. 5, without supplements, issued on July 20, 1949, effective August 21, 1949, by the Household Goods Carriers' Bureau, Agent, Washington, DC: Mount Vernon or Yonkers in the State of New York; Tenafly, Glen Ridge, East Orange, Elizabeth, Hackensack, Hillside, Irvington, or Passaic in the State of

New Jersey. The freight zone for plants located in New York City, Nassau, and Suffolk Counties in the State of New York, or in Essex, Hudson, and Union Counties in the State of New Jersey shall be in the 1- to 10-mile zone. The market administrator shall publicly announce the freight zones for pool plants.

(b) The market administrator shall determine and publicly announce a freight zone for each minor civil division (township, borough, incorporated village, or city) within which farms included in a pool or partial pool unit are located by computing the shortest highway mileage distance from the nearest point in the minor civil division to the nearest point specified in paragraph (a) of this section, using the mileage guide specified in such paragraph supplemented by U.S. Geological Survey maps. In States where the smallest governmental unit except for incorporated cities or villages is the county, a zone for the county shall be determined in the same manner as for minor civil divisions. The zone for each farm shall be the zone of the minor civil division or county in which the farm is located.

(c) The differential rates applicable at plants shall be as set forth in the following schedule:

A	B	C
Freight zone miles	Classes I-A and I-B	Classes II and III and III-A
1-10 .....	+72.0	+8
11-20 .....	+69.5	+8
21-25 .....	+67.0	+8
26-30 .....	+67.0	+7
31-40 .....	+64.5	+7
41-50 .....	+62.0	+7
51-60 .....	+59.5	+6
61-70 .....	+57.0	+6
71-75 .....	+32.5	+6
76-80 .....	+32.5	+5
81-90 .....	+30.0	+5
91-100 .....	+27.5	+5
101-110 .....	+25.0	+4
111-120 .....	+22.5	+4
121-125 .....	+20.0	+4
126-130 .....	+20.0	+3
131-140 .....	+17.5	+3
141-150 .....	+15.0	+3
151-160 .....	+12.5	+2
161-170 .....	+10.0	+2
171-175 .....	+7.5	+2
176-180 .....	+7.5	+1
181-190 .....	+5.0	+1
191-200 .....	+2.5	+1
201-210 .....	0.0	0
211-220 .....	-2.5	0

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A	B	C
Freight zone miles	Classes I-A and I-B	Classes II and III and III-A
221-225 .....	-5.0	0
226-230 .....	-5.0	0
231-240 .....	-7.5	0
241-250 .....	-10.0	0
251-260 .....	-12.5	0
261-270 .....	-15.0	0
271-275 .....	-17.5	0
276-280 .....	-17.5	0
281-290 .....	-20.0	0
291-300 .....	-22.5	0
301-310 .....	-25.0	0
311-320 .....	-27.5	0
321-325 .....	-30.0	0
326-330 .....	-30.0	0
331-340 .....	-32.5	0
341-350 .....	-35.0	0
351-360 .....	-37.5	0
361-370 .....	-40.0	0
371-375 .....	-42.5	0
376-380 .....	-42.5	0
381-390 .....	-45.0	0
391-400 .....	-47.5	0
401 and over .....	-50.0	0

(d) The differential rate applicable to each pool unit or partial pool unit shall be computed each month as follows: Multiply the volume of pool milk received from farms in each zone by the rate for that zone as set forth in the schedule in paragraph (c) of this section, add the resulting values for all zones of the unit, divide such sum by the total volume of milk received by the unit and round to the nearest 0.1 cent. Rates shall be computed separately for Columns B and C of such schedule.

(e) In the event that a plant in the 401 miles and over freight zone becomes a pool plant, a 10-mile zone shall be determined for such plant and for each farm in any pool unit delivering to such plant. The Column B differentials in paragraph (c) of this section shall be extended at the same rate as provided in such column for such plant or unit: *Provided*, That in no case shall such differential cause the class price or the uniform price for such plant or unit to be less than the Class III price for such plant or unit: *Provided further*, That farms or units delivering to such plant shall be deemed to be in the same zone as the plant.

[33 FR 8201, June 1, 1968, as amended at 37 FR 2929, Feb. 10, 1972; 46 FR 41756, Aug. 18, 1981; Redesignated and amended at 56 FR 5327 and 5328, Feb. 11, 1991; 58 FR 63285, Dec. 1, 1993]

**§ 1002.53 Producer-handler price differential.**

For skim milk and butterfat received from a handler who is a producer-handler under this or any other order and is assigned to Class I-A pursuant to § 1002.45(a)(8)(iii), the transferee handler shall pay a differential equal to the difference between the Class I-A price and the Class III price both appropriately adjusted for differentials pursuant to § 1002.52.

[56 FR 5328, Feb. 11, 1991]

**§ 1002.54 Use of equivalent price or index.**

If for any reason a price or index specified by this part for use in computing class prices or other purposes is not reported or published in the manner therein described, the market administrator shall use a price or index determined by the Secretary to be equivalent to or comparable with the price or index specified.

**§ 1002.55 Transportation credit on bulk unit pool milk.**

For pool milk received by a handler in a pool or partial pool unit, a transportation credit at the rate of 15 cents per hundredweight shall be computed.

[56 FR 5328, Feb. 11, 1991]

**§ 1002.56 Announcement of class prices and butterfat differential.**

The market administrator shall announce publicly on or before the fifth day of each month, the following:

(a) The Class I price for the following month applicable at the 201-210 mile zone and at the 1-10 mile zone.

(b) The Class II price for the following month applicable at the 201-210 mile zone and at the 1-10 mile zone.

(c) The Class III and Class III-A prices for the preceding month applicable at the 201-210 mile zone and at the 1-10 mile zone;

(d) The butterfat differential for the preceding month;

(e) The basic formula price for the preceding month, pursuant to § 1002.51, as reported by the United States Department of Agriculture.

(f) The average price per hundredweight for manufacturing grade milk,